

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 1 and 18 have been amended for clarity.

The Examiner has rejected claims 1, 3-8, 13-16 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,725,461 to Dougherty et al. in view of U.S. Patent 7,406,702 to Hasegawa. The Examiner has further rejected claims 9-11 under 35 U.S.C. 103(a) as being unpatentable over Dougherty et al. in view of Hasegawa, and further in view of U.S. Patent 7,000,245 to Pierre et al. In addition, the Examiner has rejected claim 12 under 35 U.S.C. 103(a) as being unpatentable over Dougherty et al. in view of Hasegawa and Pierre et al., and further in view of U.S. Patent Application Publication No. 2002/0144291 to Smiley et al. Furthermore, the Examiner has rejected claims 2 and 17 under 35 U.S.C. 103(a) as being unpatentable over Dougherty et al. in view of Hasegawa, and further in view of U.S. Patent 7,373,650 to Rodriguez et al. Finally, the Examiner has rejected claim 14 under 35 U.S.C. 103(a) as being unpatentable over Dougherty et al. in view of Hasegawa, and further in view of U.S. Patent 6,529,233 to Allen.

The Dougherty et al. patent discloses a reminder system for broadcast and non-broadcast events based on broadcast interactive applications, in which an apparatus generates an application data signal. A broadcast receiver, which may be a television, VCR, set-top box or FM radio receiver (col. 7, lines

25-31), also includes a data extractor coupled to the tuner for extracting the interactive application from the broadcast data and provides the extracted interactive application on a bus (Col. 7, line 46-53). The bus is coupled to a microprocessor which stores, via the bus, the extracted interactive application into a first storage device as instructed by a program stored in a second storage device (col. 7, lines 54-57).

The Hasegawa patent discloses a broadcasting method and broadcast receiver, in which the broadcast receiver includes a content storage device 410 for storing "contents" and "a program storage device 412 that stores programs and data other than contents and play commands" (col. 4, lines 33-37).

The subject invention, as claimed in claim 1, includes the limitation "an application data generator for generating an application data signal, said application data generator retrieving the stored extracted application data from the data storage separately from the content signal, and forming the application data signal using the retrieved extracted application data". The Examiner has indicated that Dougherty et al. discloses this limitation at col. 7, lines 45-57, "retrieving the stored extracted application data from the first storage device 212".

Applicants submit that the Examiner is mistaken. In particular, Dougherty et al. specifically states:

"The BR 120 also includes a data extractor 206 coupled to the tuner 202 for extracting the interactive application from the broadcast data 117. In one embodiment, the data extractor 206 is a conventional VBI inband data extraction circuit. In another

embodiment, the data extractor 206 is a conventional modem. The data extractor 206 provides a serial bitstream containing the extracted interactive application onto a bus 208.

"The bus 208 is coupled to a microprocessor 210 which stores, via the bus 208, the extracted interactive application into a first storage device 212 as instructed by a program stored in a second storage device 214."

It should be clear from the above that while Dougherty et al. discloses extracting and storing the interactive application (similar to the claim limitations "an extraction processor for extracting the application data from the content signal", and "a data storage for separately storing the content signal and the extracted application data"), there is no disclosure or suggestion of "an application data generator for generating an application data signal, said application data generator retrieving the stored extracted application data from the data storage separately from the content signal, and forming the application data signal using the retrieved extracted application data".

Rather, Dougherty et al., at col. 8, lines 10-13, merely states "the microprocessor 210 uses the program stored in the second storage device 214 and the interactive application (i.e., the retrieved and stored application data) stored in the first storage device 212 to execute the interactive application and provide an output". Again, there is no disclosure or suggestion of "an application data generator for generating an application data signal, said application data generator retrieving the stored extracted application data from the data storage separately from

the content signal, and forming the application data signal using the retrieved extracted application data".

This is described in the subject specification on page 7, line 31 to page 8, line 13.

The Pierre et al. patent discloses a system and method for recording pushed data, in which an application data indication of a content signal is modified. However, Applicant submits that Pierre et al. does not supply that which is missing from Dougherty et al. and Hasegawa, i.e., "an application data generator for generating an application data signal, said application data generator retrieving the stored extracted application data from the data storage separately from the content signal, and forming the application data signal using the retrieved extracted application data".

The Smiley et al. publication discloses network publication of data synchronized with television broadcasts, in which Advanced Television Enhancement Forum (ATVEF) data is stored at a central receiving site, and access thereto is effected over, for example, the Internet. However, Applicant submits that Smiley et al. does not supply that which is missing from Dougherty et al., Hasegawa and Pierre et al., i.e., "an application data generator for generating an application data signal, said application data generator retrieving the stored extracted application data from the data storage separately from the content signal, and forming the application data signal using the retrieved extracted application data".

The Rodriguez et al. patent discloses apparatuses and methods to enable the simultaneous viewing of multiple television channels and electronic program guide content, in which an Out-Of-Band (OOB) channel is provided arguably having a transport protocol different from the channel over which in-band channels are received. However, Applicant submits that Rodriguez et al. does not supply that which is missing from Dougherty et al. and Hasegawa, i.e., "an application data generator for generating an application data signal, said application data generator retrieving the stored extracted application data from the data storage separately from the content signal, and forming the application data signal using the retrieved extracted application data".

The Allen patent discloses systems and methods for remote video and audio capture and communication, which include a digital recording device. However, Applicant submits that Allen does not supply that which is missing from Dougherty et al. and Hasegawa, i.e., "an application data generator for generating an application data signal, said application data generator retrieving the stored extracted application data from the data storage separately from the content signal, and forming the application data signal using the retrieved extracted application data".

In view of the above, Applicant believes that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims 1-18 and 20, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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